

)	Chapter 11
In re:)	
)	Case No. 18-50763 (AMK)
PLEASANTS CORP., <i>et al.</i> , ¹)	Cases Jointly Administered under
)	Case No. 18-50757 (AMK)
Debtors.)	
)	Hon. Judge Alan M. Koschik
)	

The above-captioned debtors (collectively, the “Debtors”), by and through undersigned counsel, respectfully submit this motion (the “Motion”) requesting that the Court continue and hold in abeyance (a) the hearing on the *Sixth Interim and Final Application of Akin Gump Strauss Hauer & Feld LLP, Counsel for the Debtors, for Allowance of Compensation and for Reimbursement of Expenses for Services Rendered During the Period from March 31, 2018 Through February 27, 2020* [Docket No. 3998] (the “Application”) and (b) the deadlines set forth in the *Order Directing Certain of the Debtors’ Professionals to Make Sworn Statements in Support of the Sixth Interim and Final Application of Akin Gump Strauss Hauer & Feld LLP* (the “Application Order”) [Docket No. 4281].

18-50757-amk Doc 4291 FILED 01/07/21 ENTERED 01/07/21 16:07:34 Page 1 of 5

JURISDICTION

1. The United States Bankruptcy Court for the Northern District of Ohio (the “Court”) has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

2. Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

3. The statutory bases for the relief requested herein are sections 102(1) and 105 of title 11 of the United States Code (the “Bankruptcy Code”), Rule 9006 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and the *Amended Order, Pursuant to Sections 102 and 105(A) of the Bankruptcy Code and Bankruptcy Rules 2002, 4001, 6007, 7016, 9013 and Local Bankruptcy Rules Establishing: (I) Omnibus Hearing Dates; and (II) Certain Case Management Procedures* [Docket No. 280] (the “Case Management Order”).

BACKGROUND

4. On March 31, 2018 (the “Petition Date”), the Debtors filed voluntary petitions for relief in this Court under chapter 11 of the Bankruptcy Code.

5. On April 6, 2018, Akin Gump Strauss Hauer & Feld LLP (“Akin Gump”), filed the *Debtors’ Application for Entry of An Order Authorizing the Retention and Employment of Akin Gump Strauss Hauer & Feld LLP as Co-Counsel to the Debtors and Debtors in Possession Effective Nunc Pro Tunc to the Petition Date* [Docket No. 234].

6. On April 26 and June 28, 2018 [Dockets No. 432 & 860], the Court entered the retention and amended retention orders authorizing the Debtors to retain Akin Gump as counsel to the Debtors.

7. On October 16, 2019, the Court confirmed the Debtors’ *Eighth Amended Joint Plan of Reorganization of FirstEnergy Solutions Corp. and its Debtor Affiliates* [Docket No.

3283] (as amended from time to time, the “Plan”). On February 27, 2020, the Effective Date (as defined in the Plan) occurred.

8. On April 27, 2020, Akin Gump filed its Application. On November 23, 2020, the Court entered the *Order (I) Awarding Interim Allowance of Compensation for Services Rendered and Reimbursement of Expenses for the Period December 1, 2019 through February 27, 2020 and (II) Setting a Date for a Hearing on Akin Gump Strauss Hauer & Feld LLP’s Final Fee Application* [Docket No. 4279] (the “Interim Order”). On November 24, 2020, the Court entered the Application Order.

9. Pursuant to the Interim Order and the Application Order, a further hearing on the Application was set for January 19, 2021, at 10:00 a.m. (the “Final Hearing”) and certain professionals were directed to file a verified supplemental declaration in support of the Application by January 8, 2021 (the “Declaration Deadline”).

RELIEF REQUESTED AND BASIS FOR RELIEF

10. The Debtors seek to continue and hold in abeyance the Final Hearing and the Declaration Deadline.

11. Pursuant to Rule 9006 of the Bankruptcy Rules, “when an act is required . . . to be done at or within a specified period . . . by order of court, the court for cause shown may at any time in its discretion (1) with or without motion or notice order the period enlarged if the request is therefore made before the expiration of the period originally prescribed[.]” Fed. R. Bankr. P. 9006(b)(1). Further, as set forth in the Case Management Order, “[n]othing in this [order] shall be deemed to prejudice any party-in-interest’s right to seek other shortening or lengthening of any periods in these Cases.” CMO ¶ D(iv).

12. As stated in the Application Order, the Court “understands that the circumstances surrounding the passage of [Ohio House Bill 6] is relevant to the criminal complaint . . . and possibly other ongoing investigations.” Application Order p. 2. The Debtors submit that because the matters raised in the Application Order are related to that investigation it is in the best interest of the Debtors to continue the Hearing and the Declaration Deadline and hold both in abeyance until a date approximately six months from today to be set by the Court.

13. Akin Gump has informed the Debtors that while the declarants stand ready to file their declarations on January 8, 2021, and they and the firm are prepared to appear at the January 19, 2021 hearing to discuss this matter with the Court, Akin Gump has no objection to the Debtors’ request to delay the Court’s consideration of the Application.

14. In light of the foregoing, the Debtors submit that good cause exists to grant the Motion.

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WHEREFORE, the Debtors respectfully request that the Court enter the proposed order, substantially in the form attached hereto as **Exhibit A**.

Dated: January 7, 2021

Respectfully submitted,

/s/ Bridget A. Franklin

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